



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

MEMORANDUM

DATE: Sept 18, 2007

SUBJECT: Effect Determination for Prometon Relative to the Endangered Barton Springs Salamander

FROM: Edward Odenkirchen, Ph.D, Senior Scientist
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Environmental Fate and Effects Division (7507P) /original signed 9/18/07/

TO: Arthur-Jean B. Williams, Acting Director Environmental Fate and Effects Division

Attached is the assessment of potential effects to the endangered Barton Springs salamander from uses of the herbicide prometon. While the Endangered Species Act requires that EPA assess uses of pesticides relative to any potentially affected listed species, this assessment focuses only on the Barton Springs salamander, addressing provisions of the settlement agreement entered into by the federal government to resolve claims made by plaintiffs against EPA (CBD v. EPA¹).

The attached assessment was conducted consistent with the Agency's Overview Document² and results in a usage-based determination for prometon. Prometon is a bare-earth herbicide, used to completely control vegetation in locations such as rights-of-way, along fence lines, and around buildings. High quality usage data are not available for Barton Springs area, thus the determination is based on total yearly use thresholds in the Barton Springs Segment of the Edwards Aquifer (BSSEA), listed below.

¹ Settlement agreement of August 22, 2005: Center for Biological Diversity v. Stephen L. Johnson, et.al. No. 1:04-cv-00126-CKK

² Overview of the Ecological Risk Assessment: Process in the Office of Pesticide Programs, U.S. Environmental Protection Agency:Endangered and Threatened Species Effects Determinations: January 23, 2004.

Total yearly use

<1,650 lbs ai

No effect

≥1,650 lbs ai but <22,000 lb ai

May affect, not likely to adversely affect (Indirect effects)

≥22,000 lbs ai

May affect, likely to adversely affect (Direct effects)

As required by the Alternative Consultation Agreement EPA entered into with the US Fish and Wildlife Service and National Marine Fisheries Service Services, the scientists preparing the assessment have been trained by the Services to make such determinations. Additionally, this assessment was subjected to internal Agency peer review throughout its development, including other scientists who have been trained to make such determinations.

Please let us know if you have any questions regarding this assessment and effects determination for prometone relative to the Barton Springs salamander.

cc: Steven Bradbury

Attachment